

REC'D PCT/PTO 18 JAN 2006

"Express Mail" Label No. EV 566969805 US
Date of Deposit January 17, 2006

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: 
Aaron Hokamura

PATENT

Docket No.: 082368-003700US
Client Ref. No.: ONC-A0218P1-US

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NAKAMURA and FURUKAWA

Application No.: 10/529,523

Filed:

Int'l Application No.: PCT/JP03/10338

Int'l Filing Date: August 14, 2003

For: METHOD FOR TREATING OR
PREVENTING METASTASIS OF
COLORECTAL CANCERS

Examiner:

Art Unit:

COMMUNICATION UNDER
37 C.F.R. §§ 1.821-1.825

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the *Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)*, mailed November 14, 2005,

Applicants submit that the instant application as filed contains no nucleotide sequence and/or amino acid sequence disclosures which are required to be included in a Sequence Listing.

Remarks/Arguments begin on page 2 of this paper.

REMARKS/ARGUMENTS


The Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) indicates that the present application fails to comply with requirements of 37 C.F.R. §§ 1.821-1.825. Applicants assert that the application as filed contains no sequences encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a), 37 CFR § 1.821(a)(1) or CFR § 1.821(a)(2).

A review of the entire application, including the Specification, Claims and Abstract, failed to demonstrate any sequence that is required to be included in a Sequence Listing under 37 CFR §§ 1.821-1.825.

Applicants, therefore, respectfully assert that the requirement to submit a Sequence Listing under the provisions of 37 C.F.R. §§ 1.821-1.825 listed on the *Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)*, mailed November 14, 2005, was issued in error, and request that it be withdrawn. If, in the Examiner's opinion, there are sequences in the present application, Applicants will submit a Sequence Listing complying with requirements at a later date.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Kevin Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
KLB:ath